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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 10-0914 TEH
	)	
Plaintiff,	)	STIPULATION AND <del>[PROPOSED]</del>
	)	PROTECTIVE ORDER
v.	)	
	)	
ABEL RUBIO-LARA,	)	
	)	
Defendant.	)	
_____	)	

On August 10, 2011, the Court issued an order to disclose certain personnel records of a government witness to the defendant. Pursuant to Rule 16(d)(1) of the Federal Rules of Criminal Procedure, the parties hereby stipulate to a protective order limiting the uses to which those personnel records can be put. The parties agree that good cause exists for a protective order and stipulate to the following:

1. The contents of the discovered personnel files and related documents shall not be disclosed in any form to any other person by defense counsel except to the client, an investigator for the client, or staff person of defense counsel and then only for the specific purposes relating

1 to defending the client in this case.

2 2. Unless expressly authorized by this Court, no information derived from the personnel  
3 files and related documents which are the subject of this order including but not limited to the  
4 identity of witnesses or complainants, number of complaints, location of any incident or the  
5 existence of a complaint, may be disclosed to any individual or entity for any other use,  
6 including, for example, any disclosure in any unrelated case or proceeding where the person  
7 whose personnel files and related documents have been disclosed is a witness.

8 3. No photocopies shall be made of the personnel files and related documents disclosed to  
9 the defense without express authorization of the Court. Nor shall the contents of the personnel  
10 files or related documents be transcribed or duplicated by any other means.

11 4. Within ten (10) working days of the final judgment or other final disposition of the  
12 instant case, any and all personnel files and related documents released under this Order shall be  
13 returned to the United States Attorney's Office whether or not a specific request has been made  
14 for the return of said documents. No information derived from the disclosed personnel files and  
15 related documents may be used for any subsequent purpose or retained in any form including any  
16 data base or files.

17 5. This Order applies to all attorneys associated with the above case who have knowledge of  
18 this Order regardless of the nature of their involvement in the case. This Order shall be binding  
19 on all subsequent attorneys who represent the defendant in this case or any other person who  
20 comes into possession of the personnel files and related documents disclosed pursuant to this  
21 Order.

22 6. All persons who come into possession of the personnel files and related documents  
23 disclosed pursuant to this Order are required to advise any other persons receiving disclosure of  
24 any of these personnel files and related documents of the terms of this Order.

25 7. A willful violation of this Order shall constitute a criminal contempt of Court for which  
26 sanctions are provided by law. The parties who agree to receive information which is subject to  
27  
28

1 this Order agree that this Court has jurisdiction to enter this Order.

2  
3 SO STIPULATED:

4  
5 Dated: August 30, 2011

/s/  
\_\_\_\_\_  
RONALD TYLER  
Assistant Federal Public Defender

8 MELINDA HAAG  
United States Attorney

9  
10 Dated: August 30, 2011

/s/  
\_\_\_\_\_  
PATRICIA SPALETTA  
Assistant United States Attorney

11  
12  
13  
14 SO ORDERED.

15  
16 DATED: 09/01/2011

